

MINUTES

TOWN OF GROTON



2020 FALL TOWN MEETING

Middle School Track Behind Florence Roche Elementary School
342 Main Street, Groton, Massachusetts 01450

Beginning Saturday, October 3, 2020 @ 10:00 AM
(Rain Date: October 4, 2020 @ 1:00 p.m.)

Attention – Voters and Taxpayers

Please bring this Report to Town Meeting

Pandemic Safety Procedures for Town Meeting

Due to the pandemic, the Fall Town Meeting will be held outdoors on the field behind the Florence Roche School. Voters and non-voters attending the meeting are asked to follow these procedures:

- Attendees should wear masks, even while speaking, and observe social distancing whenever possible.
- Keep at least 6-feet of distance from others while in the voter check-in line.
- Voters should arrive early, check-in, receive a voter card, and proceed directly to a seat.
- A cart will be available for anyone who needs assistance moving from the parking lot to the field.
- Single and household-pair seating will be six or more feet apart and should not be moved. Attendees may bring their own chairs.
- Children may accompany parents who are asked to bring a seat for the child. Families with two or more children are asked to provide their own chairs.
- Voters will speak from their seats when called on by the moderator. Wireless microphones will be brought by an usher and sanitized between uses.
- Voting will be by raised voter card and not by voice.
- Anyone unable to wear a mask may sit in a reserved section with a dedicated microphone.
- At the end of the meeting, voters are asked to observe social distancing while exiting the field.

Rain Date: In the event of inclement weather, the Town Meeting will be held the following day, October 4, at 1 p.m. in the same location. If the Town Moderator postpones the meeting, notice will be made on the town website, posted in three public places, and through news and social media.

Please direct questions regarding the meeting procedures to Jason Kauppi, Town Moderator, at moderator@townofgroton.org or call 978-391-4506.



Town Meeting Access for Voters with Disabilities

Parking – Universally accessible parking spaces are available in the parking lot in front of the Groton Dunstable Middle School South.

Sign Language – A Sign Language Interpreter will be provided for the hearing impaired, upon request, at least one week prior to the meeting.

Speaking at Town Meeting – There will be volunteers available to bring hand-held microphones to voters who have mobility issues or cannot stand in line and wait at the microphones.

Transportation to Town Meeting - The Council on Aging van will be available to Groton residents attending Town Meetings at no charge. All riders will be at the meeting prior to the start. The van is wheelchair accessible. Your reservation can be made by calling the Senior Center at 978-448-1170. Seats will be filled on a first come, first serve basis.

Questions or concerns - If you or a member of your household has questions or would like to request a sign language interpreter, please contact ADA Coordinator Michelle Collette at Town Hall at 978 448-1105 at least one week before the Town Meeting.

2020 FALL TOWN MEETING WARRANT AND MINUTES

OCTOBER 3, 2020

Town Moderator:

Jason Kauppi

Deputy Moderator

Stuart Schulman.

Board of Selectmen:

Becky Pine

Joshua A. Degen, Vice-Chair

Allison Manugian, Chair

John Giger

John Reilly

Finance Committee:

Colby Doody

Gary Green, Vice-Chair

Scott Whitefield

Mary Linskey

David Manugian

Bud Robertson, Chair

Art Prest

Town Manager:

Mark W. Haddad

Dawn Dunbar, Executive Assistant

Town Clerk:

Michael F. Bouchard

2020 FALL TOWN MEETING MINUTES OCTOBER 3, 2020

Middlesex, ss.
Commonwealth of Massachusetts
To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble at the Middle School Track behind the Florence Roche Elementary School, 342 Main Street, Groton, Massachusetts in said Town on Saturday, the third day of October, 2020 at Ten O'clock in the morning, to consider the following:

ARTICLE LISTINGS

Article 1	Remove Designation of "Sundown" Town for Groton	Passed
Article 2	Prior Year Bills	Passed
Article 3	Amend the Fiscal Year 2021 Town Operating Budget	Passed
Article 4	Amend Fiscal Year 2021 Wage and Classification Schedule	Passed
Article 5	Transfer within Water Enterprise Fund	Passed
Article 6	Transfer within Center Sewer Enterprise Fund	Passed
Article 7	Transfer within the Four Corners Sewer Enterprise Fund	Passed
Article 8	Transfer Money into the Capital Stabilization Fund	Passed
Article 9	Transfer Money into the Stabilization Fund	Passed
Article 10	Transfer Money into the GDRSD Capital Stabilization Fund	Passed
Article 11	Fiscal Year 2021 Capital Budget	Passed
Article 12	Stormwater Utility Enterprise Budget	Passed
Article 13	Environmental Consulting Services	Passed
Article 14	Complete Streets Engineering	Passed
Article 15	Assessors Cyclical Inspections	Passed
Article 16	Community Preservation Funding Accounts	Passed
Article 17	Community Preservation Funding Recommendations	Passed
Article 18	Special Legislation – Investment of Town Trust Funds	Passed
Article 19	Amend Zoning Bylaw – Zoning Cleanup and Clarifications	Passed
Article 20	Amend Zoning Bylaw – Attached Accessory Apartments	Passed
Article 21	Amend Zoning Bylaw – Detached Accessory Apartments	Passed
Article 22	Amend Chapter 128 – Dog Bylaw	Passed
Article 23	Accept Red Pepper Lane as a Town Way	Passed
	Report of the Town Manager to the 2020 Fall Town Meeting	

Proceedings:

The meeting was called to order at 10:01 AM on October 3, 2020 outside at the track behind the Florence Roche School. Moderator Jason Kauppi presided.

There is no quorum requirement for this Annual Town Meeting. 168 voters attended the meeting.

Announcements:

A moment of silence was observed for Grotonians who have passed since the last meeting.

The State Election will be held on November 3. Precinct 1 will vote at The Center, 163 West Main Street, and Precincts 2 and 3 will vote at the Groton-Dunstable Middle School (North), 344 Main Street. Note that the Middle School polling location for Precincts 2 and 3 will be for the November 3 election only. In-Person Early Voting will take place at Town Hall from October 17 – 30. Vote By Mail ballots are expected to be mailed the second week of October 6 at 6:00 PM.

Mary Jennings, President of Friends of Prescott and Bruce Easom, Treasurer announce that the sprinkler system, which was funded by previous votes of the CPC and Town Meeting is nearly completion. A check for \$20,000 was presented to the Town for rental of the building.

The Moderator wished to thank the Groton-Dunstable regional School Committee, the Maintenance Staff and Stasia Twomey, Town of Groton Department Heads and the Groton Police Department for their assistance in holding the meeting at this location.

Procedures to be used on October as the coronavirus pandemic is still prevalent:

- There will be no voice votes, only votes by raising voter cards
- Wireless mics will be brought to speakers
- There are 23 articles on the warrant with 16 Main Motions and 3 Consent Agendas.
- The main proponent and opponent of an article will be allowed 7 minutes in which to present their argument.

MOTION – Limit Debate

MOVER: Michelle Collette

I move that debate be limited to three minutes for each speaker, with the exception of the main proponent and opponent of each article, and at the discretion of the moderator.

Moved and Seconded

Quantum of Town Meeting Vote: 2/3rds Majority

Vote of Motion to Limit Debate: Passed by 2/3rds Majority

The timekeeper will be Michael Hartnett.

The Moderator determined that the warrant was duly posted. The reading of the warrant was waived by unanimous vote.

ARTICLE 1: REMOVE THE DESIGNATION OF “SUNDOWN TOWN” FOR GROTON

To see if the Town will vote to establish from October 3, 2020 forward that Groton, Massachusetts rejects wholeheartedly the designation as a “Sundown Town”, and further, that Groton, Massachusetts welcomes people of all race, that the Commonwealth of Massachusetts Governor, Secretary of State, Attorney General and General Court be notified that all references and/or laws in State Records that identify Groton as a “Sundown Town” be stricken from the records, along with any Town Bylaw, Town Meeting vote or vote by the Executive Body of Groton, or to take any other action relative thereto.

SELECT BOARD

Select Board: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *According to research, it has been determined that Groton is one of 17 Towns in the Commonwealth of Massachusetts that is identified as a “Sundown Town”. A “Sundown Town” is defined as all-white municipalities or neighborhoods in the United States that practice a form of racial segregation by excluding non-whites via some combination of discriminatory local laws, intimidation, and violence. Entire sundown counties and sundown suburbs were also created by the same process. The term came from signs posted, in some communities across the nation, that instructed non-whites to leave a town or county by sundown. The purpose of this Article is to reject any policies and practices, formal or informal, intended to exclude non-whites from the Town of Groton and to state henceforth our Town welcomes people of all races.*

Mover: Joshua Degen

MOTION: I move to establish from October 3, 2020 forward that Groton, Massachusetts rejects wholeheartedly the designation as a “Sundown Town”, and further, that Groton, Massachusetts welcomes people of all race.

Moved and Seconded
Quantum of Town Meeting Vote: Majority

Discussion:

- **Mr. Degen** presented the background of the Article and reasons to support it. He included that some historical researchers have indicated that Groton may have been listed as a “Sundown Town”.
- **James Moore**, member Diversity Task Force, presented a powerful argument in favor of the Article.
- **Russ Harris** argued that the Article should be withdrawn because there is no historical evidence that Groton was a Sundown Town. He stated that these are inflammatory accusations and that there be more public input. He asked that the Article be postponed until the Spring Town Meeting.

MOTION (Russ Harris): I move that Article 1 be Indefinitely Postponed
Moved and Seconded
Quantum: Majority

- Timothy Manugian, Diversity Task Force member, stated that there was evidence that this did occur. However, this Article is prospective. Many speakers, including Martin Luther King, Jr. , have come to Groton to speak against racism. This Article is not intended to be a slight but rather a statement that we stand against racism.
- Mr. Degen rose again to state that actions can happen not only by Town Meeting votes, but also by official's actions. He reiterated that James Lowell's research states that Groton "may" have been a "Sundown Town".

MOTION to MOVE THE QUESTION

The motion was declined by the Moderator as it came too early in the discussion.

- An attendee spoke impugning the reputation of Mr. Lowell's research and supported Groton "as is".
- Another speaker rose to support the Article, asking how this would look in history if the Meeting did not support the Article. She urged the Meeting to "stand up for justice".

MOTION to AMEND Article 1 Main Motion (Josh Degen):

I move to insert the words "if such designation ever applied" after the words "Sundown Town".

Moved and Seconded

Quantum: Majority

- Mr. Derensis, Town Counsel, was asked to opine. He stated that this Article is about Groton. The amendment states if this applied to Groton. The amendment is in order.

VOTE on the MOTION to AMEND Article 1 Main Motion: Passed by Majority Vote

VOTE on MOTION to INDEFINITELY POSTPONE Article 1: Did Not Pass

Article 1 – Main Motion As Amended:

I move to establish from October 3, 2020 forward that Groton, Massachusetts rejects wholeheartedly the designation as a "Sundown Town" if such designation ever applied, and further, that Groton, Massachusetts welcomes people of all race.

VOTE on Article 1 Main Motion As Amended: Passed by Unanimous Vote

ARTICLE 2: PRIOR YEAR BILLS

To see if the Town will vote to transfer from available funds a sum or sums of money for the payment of unpaid bills from prior fiscal years, or to take any other action relative thereto.

SELECT BOARD

Select Board: Recommended Unanimously

Finance Committee: Recommended Unanimously

Summary: *Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

Mover: Alison Manugian

MOTION: I move that the sum of Six Hundred and Ten Dollars (\$610) be transferred from the Excess and Deficiency Fund (Free Cash) for the payment of the following bills of a prior fiscal year:

Triangle Portable Services, Inc.	\$160
Jane Fry	\$150
Sally Hensley	\$150
Paul Martell	<u>\$150</u>
Total	\$610

Moved and Seconded

Quantum of Town Meeting Vote: 4/5's Majority

Vote on Article 2 – Main Motion: Chair declared passed by Unanimous Vote

ARTICLE 3: AMEND THE FISCAL YEAR 2021 TOWN OPERATING BUDGET

To see if the Town will vote to amend the Fiscal Year 2021 Operating Budget as adopted under Article 4 of the 2020 Spring Town Meeting and vote to raise and appropriate and/or transfer from available funds a sum or sums of money as may be necessary to defray the expenses of the Town for Fiscal Year 2021, or to take any other action relative thereto.

**FINANCE COMMITTEE
SELECT BOARD
TOWN MANAGER**

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *The Fiscal Year 2021 Town Operating Budget was approved at the 2020 Spring Town Meeting in June, 2020. Any changes to this Budget would have to be made prior to setting the tax rate. The purpose of this article is to make any necessary changes to balance the FY 2021 Operating Budget. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

Mover: Joshua Degen

CONSENT MOTION ON THE BUDGET

I move that the town take affirmative action on Motion 1 through Motion 4, pursuant to Article 3, as set forth in the Town Meeting Information Handout for this Meeting, without debate and in accordance with the action proposed under each motion, provided however that if any voter

requests the right to debate a specific budget motion, then said motion shall be debated and voted upon separately.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

No Motions under Article 3 were held for a separate vote.

VOTE on Article 3 Consent Motion: Passed by Unanimous Vote

ARTICLE 4: AMEND WAGE AND CLASSIFICATION SCHEDULE

To see if the Town will vote to amend the Wage and Classification Schedule as adopted under Article 3 of the 2020 Spring Town Meeting as follows:

Call Captain	\$25.00 per hour	Call Lieutenant	\$24.50 per hour
Call Firefighter	\$21.43 per hour	Call EMT	\$21.43 per hour
Probationary Firefighter:	\$17.85 per hour	Probationary EMT	\$17.85 per hour
Veteran's Agent	\$5,000 annually		

or to take any other action relative thereto.

TOWN MANAGER

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *When the Town proposed the Wage and Classification Schedule at the Spring Town Meeting for Fiscal Year 2021, the annual salary of the Veteran's Agent and the wages of the various Call Firefighters were not adjusted by a two (2%) percent cost of living adjustment.*

Mover: Rebecca Pine

MOTION: I move that the Wage and Classification Schedule as adopted pursuant to Article 3 of the 2020 Spring Town Meeting be amended as printed in the Warrant for the 2020 Fall Town Meeting.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 4 – Main Motion: Passed by Unanimous Vote

Mover: Tom Delaney

I move that the town take affirmative action on Articles 5, 6, & 7, pursuant to the motions as set forth in the Town Meeting Information Handout for this Meeting, without debate and in accordance with the action proposed under each motion, provided however that if any voter requests the right to debate a specific motion, then said motion shall be debated and voted upon separately.

Moved and Seconded
Quantum of Town Meeting Vote: Majority

ARTICLE 5: TRANSFER WITHIN WATER ENTERPRISE FUND

To see if the Town will vote to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2021 Water Department Operating Budget for Engineering Services, or to take any other action relative thereto.

BOARD OF WATER COMMISSIONERS

Select Board: *Recommended (4 In Favor, 1 No Position – Degen)*
Finance Committee: *Recommended Unanimously*
Water Commission: *Recommended Unanimously*

Summary: *This article will request a transfer of funds from Water Surplus to help fund the Fiscal Year 2021 Water Department's Operational Expenses related to Engineering Services for the Whitney Well Manganese Mitigation Project and expansion.*

ARTICLE 6: TRANSFER WITHIN CENTER SEWER ENTERPRISE FUND

To see if the Town will vote to transfer a sum or sums of money from the Center Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Center Sewer Enterprise Department Budget for general expenses, or to take any other action relative thereto.

BOARD OF SEWER COMMISSIONERS

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*
Sewer Commission: *Recommended Unanimously*

Summary: *This article will request a transfer of funds from Sewer Surplus to help fund the Fiscal Year 2021 Center Sewer Department's Operational Expenses.*

ARTICLE 7: TRANSFER WITHIN FOUR CORNERS SEWER ENTERPRISE FUND

To see if the Town will vote to transfer a sum or sums of money from the Four Corners Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Four Corners Sewer Enterprise Department Budget for general expenses, or to take any other action relative thereto.

BOARD OF SEWER COMMISSIONERS

Select Board: *Recommended (4 In Favor, 1 No Position – Degen)*
Finance Committee: *Recommended Unanimously*
Sewer Commission: *Recommended Unanimously*

Summary: *This article will request a transfer of funds from Sewer Surplus to help fund the Fiscal Year 2021 Four Corners Sewer Department's Operational Expenses.*

No Articles were held under this Consent Motion

Vote on Articles 5,6,&7 Consent Motion: Passed by Unanimous Vote

ARTICLE 8: TRANSFER - CAPITAL STABILIZATION FUND

ARTICLE 9: TRANSFER - STABILIZATION FUND

ARTICLE 10: TRANSFER - GDRSD CAP STAB FUND

Mover: John Reilly

MOTION: I move that Articles 8, 9 and 10 be considered in one motion and be Indefinitely Postponed

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

- **Mr. Robertson explained that:**
 - The Capital Stabilization fund is at the target of 5% of the total budget.
 - The Stabilization Fund is targeted to be at 1.5% but is short \$75,000
 - The GDRSD Stabilization Fund is short \$300,000 but that the GDRS Committee also "indefinitely postponed" this requirement
 - Given the instability of local tax revenues and state aid, it was best to conserve cash at this point in time to have reserve for unknowns.

ARTICLE 8: TRANSFER MONEY INTO THE CAPITAL STABILIZATION FUND

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Capital Stabilization Fund, or to take any other action relative thereto.

SELECT BOARD

Select Board: Recommend to Indefinitely Postpone Consideration

Finance Committee: Recommend to Indefinitely Postpone Consideration

Summary: *As of the Printing of this Warrant, the Fund has a balance of \$554,313. The financial management goal is to achieve and maintain a balance in the Capital Stabilization Fund equal to 1.5% of the total annual budget. The target amount for the Capital Stabilization Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

ARTICLE 9: TRANSFER MONEY INTO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Stabilization Fund, or to take any other action relative thereto.

SELECT BOARD

Select Board: *Recommend to Indefinitely Postpone Consideration*

Finance Committee: *Recommend to Indefinitely Postpone Consideration*

Summary: *As of the printing of this Warrant, the balance in this fund is \$2,054,993. The financial management goal is to achieve and maintain a balance in the Fund equal to 5% of the total annual budget. The target amount for the Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

ARTICLE 10: TRANSFER MONEY INTO THE GDRSD CAPITAL STABILIZATION FUND

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Town of Groton Capital Stabilization Fund for the Groton Dunstable Regional School District, or to take any other action relative thereto.

TOWN MANAGER

Select Board: *Recommend to Indefinitely Postpone Consideration*

Finance Committee: *Recommend to Indefinitely Postpone Consideration*

Summary: *As of the printing of the Warrant, the balance in this fund is \$235,046. This fund covers the Town of Groton's share of the Groton Dunstable Regional School District Committee's long-range Capital Plan to address its capital needs. The target amount will be provided at Town Meeting. Please see the Town Manager's Report starting on page 28 for additional information related to this Article.*

No Articles were held under this Consent Motion

VOTE on Articles 8, 9 & 10 Consent Motion: Passed by Majority Vote

ARTICLE 11: FISCAL YEAR 2021 CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, for the purpose of funding the Fiscal Year 2021 Capital Budget, or to take another other action relative thereto.

TOWN MANAGER

Summary: *The following is a listing of the remaining items in the proposed Town Manager's Capital Budget for Fiscal Year 2021 that was delayed at the 2020 Spring Town Meeting:*

Item #1 – Pick-Up Truck

\$45,000

Highway

Summary: *This is a scheduled replacement. The average life of a pick-up truck is approximately 7 years. Replacing one vehicle every couple of years will allow the fleet to stay in good shape. This is a front line pick-up used for day to day operations as well as snow plowing.*

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Item #2 – Police Station Siding/Roof Repairs

\$50,000

Town Facilities

Summary: *The Police Station was painted seven years ago. Instead of repainting the station, it is being resided with materials that do not need to be painted in the future. This will help maintain the building and add to its longevity. In addition, the roof of the building will need to be replaced as it is coming up on 25 years since it was first constructed.*

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Item #3 – Police Cruiser

\$56,570

Police Department

Summary: *Ordinarily, we purchase two police cruisers each year to maintain our fleet. In July, 2019, one of our older cruisers was totaled in an accident and replaced. This will allow us to purchase one cruiser this year to stay with the program.*

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

TOWN MANAGER

Mover: John Giger

MOTION: I move that the sum of One Hundred Fifty One Thousand Five Hundred Seventy Dollars (\$151,570) be appropriated, to be expended by the Town Manager, for capital items for a Pick-Up Truck for the Highway Department (\$45,000) and a Police Cruiser for the Police Department (\$56,570), and, to meet this appropriation, the sum of \$101,570 be transferred from the Excess and Deficiency Fund (Free Cash) and that \$50,000, be transferred from surplus funds borrowed by the Town to pay costs of replacing the roof of the Groton Public Library, which project is now complete and for which no financial liabilities remain, to pay costs of making upgrades to the Police Station, as permitted by G.L. c. 44, §20.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 11 Main Motion: Passed by Unanimous Vote

ARTICLE 12: STORM WATER UTILITY ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate pursuant to M.G.L. c.83, §16 and/or transfer from Stormwater Facilities User Fees, a sum or sums of money, to be expended by the Town Manager, to operate the Fiscal Year 2021 Stormwater Facilities Utility Enterprise as follows:

Salaries/Benefits	\$ 75,000
Equipment	\$ 30,000
Capital Outlay	\$ 25,000
Compliance Costs	\$ 80,000
Disposal/Expenses	<u>\$ 10,000</u>
Total:	\$220,000

or take any other action relative thereto.

**TOWN MANAGER
DPW DIRECTOR**

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *The Spring Town Meeting created the Stormwater Enterprise Fund to provide the Town with a funding source to comply with the requirements of the NPDES MS4 Stormwater Permit Program operated by the US Environmental Protection Agency. The permit program requires the Town to proactively manage its storm drainage system and ensure the protection of its waterways from stormwater pollution. Compliance with the requirements of this program is mandatory. The Select Board has established a Stormwater User Fee to be paid by all properties with impervious surfaces within the Town to cover this expense. The purpose of this Article is to appropriate the necessary funding from the Stormwater Enterprise Utility Fee to cover the Fiscal Year 2021 Expenses.*

Mover: John Giger

MOTION: I move that the sum of Two Hundred Twenty Thousand Dollars (\$188,800), be transferred from Stormwater Facilities User Fees Receipts to be expended by the Town Manager, to operate the Fiscal Year 2021 Stormwater Facilities Utility Enterprise as follows:

Salaries/Benefits	\$ 43,800
Equipment	\$ 5,000
Capital Outlay	\$ 50,000
Compliance Costs	\$ 80,000
Disposal/Expenses	<u>\$ 10,000</u>
Total:	\$188,800

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 12- Main Motion: Passed by Unanimous Vote

ARTICLE 13: ENVIRONMENTAL CONSULTING SERVICES

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager and thereafter, for the purpose of retaining environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club in West Groton, and all costs associated and related thereto, or to take any other action relative thereto.

TOWN MANAGER

Select Board: *Recommended 4 In Favor, 1 Against (Manugian)*

Finance Committee: *Recommended Unanimously*

Summary: *This funding is for environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club located at 159 West Main Street. Town Meeting has authorized the Town to obtain this property for additional parking and land for activities for the Groton Center. Prior to obtaining this property, the Town needs to understand the environmental impact of demolishing the former Sportsmen's Club. This funding is necessary to inspect the building and surrounding area and develop a report and recommendations for the building's disposal. Depending on the outcome of the report, the Town will return to a future Town Meeting for the necessary funding to demolish the building and obtain the property. The cost of these services is anticipated to be \$18,000. Should the report come back favorable and the building can be removed, the estimated cost of disposal is \$30,000.*

Mover: Alison Manugian

MOTION: I move that the sum of Eighteen Thousand Dollars (\$18,000) be transferred from the Excess and Deficiency Fund (Free Cash), to be expended by the Town Manager, for the purpose of retaining environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club in West Groton, and all costs associated and related thereto.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 13 – Main Motion: Passed by Majority Vote

ARTICLE 14: COMPLETE STREETS ENGINEERING

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, for the purpose of hiring an engineer for the design of traffic safety and pedestrian improvements funded by the Commonwealth of Massachusetts "Complete Streets" program, or take any action relative thereto.

COMPLETE STREETS COMMITTEE

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *The Complete Streets Committee will be applying for a grant from MassDOT to improve pedestrian safety and accessibility improvements in Town. This article will provide funding for the required engineering design of the projects. Projects under consideration at this time include installing a sidewalk from West Groton Center to the new Groton Center on West Main Street and installing a sidewalk on Route 40 from the Groton Inn to the Gibbet Hill Grill. The Town must provide the engineering to design and solicit bids in order to obtain the construction funding. It is anticipated that the cost of this engineering will not exceed \$35,000.*

Mover: John Giger

MOTION: I move that the sum of Thirty-Five Thousand Dollars (\$35,000) be transferred from the Excess and Deficiency Fund (Free Cash), to be expended by the Town Manager, for the purpose of professional engineering services for the design of traffic safety and pedestrian improvements funded by the Commonwealth of Massachusetts "Complete Streets" program.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

- **Mr. Cunningham (Complete Streets Committee):** Engineering study is for a sidewalk from West Groton Village to The Center, 163 West Main Street

MOTION to AMEND Article 14 (Paul Funch)

I move to amend the Main Motion of Article 14 by striking the words "thirty-five thousand dollars" and by substituting the words "sixty-four thousand dollars".

Discussion:

- State funding targets \$400,000 per year for Groton for construction. A second project is to scope a sidewalk from the Groton Inn to the Gibbet Hill Grill. The additional \$29,000 would yield an additional \$188,000 in state funding.
- This second project is consistent with The Trails Committee vision (2014) and would promote economic development and safety.
- The Finance Committee was unanimous not to spend the additional \$29,000 as state money will be available for 2 more years. It felt that it was not right to approve this at this late date, but rather wait for the 2021 Spring Town Meeting.
- This is an important project. There are also important projects being considered for future submission.
- The state money is funded by a transportation bond, and is a stable grant source.
- The CSC appreciated the Town's financial constraints and recommended the \$35,000 amount. The CSC intention is to apply for the second project in Spring 2021 when the state has its second round of annual applications.

MOTION to MOVE THE QUESTION

Moved and Seconded

Quantum: 2/3rds Majority

VOTE on the MOTION to MOVE THE QUESTION: Passed by 2/3rds Majority

Tellers were sworn:

Tom Delaney Jon Greeno Shawn Campbell
Patricia Dufresne Kathy Shelp Melisa Doig

VOTE on the MOTION TO AMEND Article 14 – Main Motion:
79 In Favor, 88 Opposed

VOTE on Article 14 – Main Motion: Passed by Majority Vote

ARTICLE 15: ASSESSORS CYCLICAL INSPECTIONS

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money, to be expended by the Town Manager, for the purpose of starting the cyclical inspection process of inspecting every property in town within the Department of Revenue's five year period guidelines, said inspections to commence in the Fall of 2020 and to continue every year thereafter, or to take any other action relative thereto.

BOARD OF ASSESSORS

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *The Assessors' Office is required to perform inspections of every property in Town once every five years to comply with Massachusetts Department of Revenue Guidelines.*

Mover: Alison Manugian

MOTION: I move the sum of Twenty Thousand Dollars (\$20,000) be raised and appropriated from the FY 2021 tax levy and other general revenues of the Town, to be expended by the Town Manager, for the purpose of conducting the cyclical inspection process of inspecting every property in town within the Department of Revenue's five-year period guidelines.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 15 – Main Motion: Passed by Majority Vote

ARTICLE 16: COMMUNITY PRESERVATION FUNDING ACCOUNTS

To see if the Town will vote to make the following appropriations from the Community Preservation Fund: Allocation of Community Preservation Funds to the following sub accounts:

CPC Operating Expenses:	\$ 5,000
Open Space Reserve:	\$ 78,490
Historic Resource Reserve:	\$ 78,490
Community Housing Reserve:	\$ 78,490
Unallocated Reserve:	\$544,430

or to take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Community Preservation Committee: *Recommended Unanimously*

Summary: *This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2021. Except for the CPC Operating Expenses, none of these funds will be spent without additional approval at Town Meeting.*

Mover: Bruce Easom

MOTION: I move that the following sums be appropriated from the Community Preservation Fund and allocated to the following sub accounts:

CPC Operating Expenses:	\$ 5,000
Open Space Reserve:	\$ 78,490
Historic Resource Reserve:	\$ 78,490
Community Housing Reserve:	\$ 78,490
Unallocated Reserve:	\$544,430

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 16 – Main Motion: Passed by Unanimous Vote

ARTICLE 17: COMMUNITY PRESERVATION FUNDING RECOMMENDATIONS

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2021, and vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Select Board, with the approval of the Community Preservation Committee, to acquire, by purchase, gift or eminent domain, such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or to take any other action relative thereto.

Mover: Bruce Easom

CONSENT MOTION ON CPA FUNDING RECOMMENDATIONS

I move that the Town take affirmative action on Motion 1 through Motion 7, under Article 17, as recommended by the Community Preservation Committee, and as set forth in the Town Meeting Information Handout for this Meeting, without debate and in accordance with the action proposed under each motion, provided however that if any voter requests the right to debate a specific motion, then said motion shall be debated and voted upon separately.

Moved and Seconded
Quantum of Town Meeting Vote: Majority

CPC Proposal A: Lost Lake/Knops Pond Restoration \$95,000

Summary: *The Great Ponds Advisory Committee and the Groton Lakes Association have submitted an application for CPA funds to restore Knops Pond/Lost Lake as the non-native weed Fanwort has reached a tipping point that requires treatment before infestation reduces the surface water quality and substantially reduces the recreational potential of Groton's largest water resource. The full amount to be paid from the Unallocated Reserve.*

Select Board: Recommended Unanimously
Finance Committee: Recommended Unanimously
Community Preservation Committee: Recommended Unanimously

CPC Proposal B: Conservation Fund \$221,000

Summary: *The Conservation Commission is requesting \$221,000 in CPA funds to be added to the Town's Conservation Fund to help preserve open space, protect water resources and wildlife habitat, and preserve land for agricultural, recreational, and forestry activities. The Conservation Fund allows the Town to move quickly in the event a priority parcel becomes available. The Commission's goal is to maintain an amount between \$750,000 and \$1,000,000 in the Conservation Fund. As of February 18, 2020, the Conservation Fund balance is \$101,232. The amount of \$2,000 to be paid from the Open Space Reserve and the amount of \$219,000 to be paid from the Unallocated Reserve.*

Select Board: Recommended (4 In Favor, 1 Against – Manugian)
Finance Committee: Recommended Unanimously
Community Preservation Committee: Recommended Unanimously

CPC Proposal C: Portrait Restoration \$11,400

Summary: *The Groton History Center is requesting \$11,400 to restore framed portraits of individuals who lived in Groton in the late 1700s and early 1800s. They would like to provide their visitors with access to these interesting individuals and their back story to enrich their knowledge of Groton's history. All three portraits were painted by distinguished portrait painters of their time: A. L. Powers and Lyman Emerson Cole, both of whom have portraits hanging in museums. The full amount to be paid from the Historic Reserve.*

Select Board: Recommended Unanimously
Finance Committee: Recommended Unanimously
Community Preservation Committee: Recommended Unanimously

CPC Proposal D: Library Pocket Doors \$10,500

Summary: *The Library has a set of solid oak pocket doors in the historic 1893 building that cannot be used because the hanging and sliding hardware is broken. The Board of Library Trustees is requesting \$10,500 to replace the hardware and restore this beautiful feature to functional use. The full amount to be paid from the Historic Reserve.*

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*
Community Preservation Committee: *Recommended Unanimously*

CPC Proposal E: **Hazel Grove** **\$9,242**

Summary: *The Hazel Grove Agricultural Association has submitted this application for funding to make capital improvements on the viewing tower and storage shed. This funding will allow them to update the viewing tower with new siding, roof, shutters, locking door, flooring and a ladder for second floor access. This building is used as a safety viewing platform, shelter and storage. The storage shed will be updated with a new roof, electrical service and two new windows. The full amount to be paid from the Open Space Reserve.*

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*
Community Preservation Committee: *Recommended Unanimously*

CPC Proposal F: **WWI Cannon Restoration** **\$15,000**

Summary: *The Celebrations and Commemorations Committee submitted this application to complete the process of restoring the “Cannon de 75 mle 1897”, a gift to the Town of Groton from the U.S. Army in 1919 at the dedication of the Lawrence W. Gay Post 55. The Cannon has resided at Legion Common for the last 100 years in honor of Lawrence W. Gay who was killed in action just days prior to the signing of the Armistice ending hostilities of World War I. In recent years the cannon has suffered from the effects of weather, fallen into disrepair and become a safety issue. The Town’s portion of the project includes sandblasting, repainting and replacement of the oak spoked wheels. The full amount to be paid from the Historic Reserve.*

Select Board: *Recommended (3 In Favor, 2 Against – Manugian, Degen)*
Finance Committee: *Recommended Unanimously*
Community Preservation Committee: *Recommended Unanimously*

CPC Proposal G: **Emergency Rental Assistance** **\$200,000**

Summary: *The Affordable Housing Trust submitted this application for funding to establish an emergency rental assistance program for the benefit of eligible tenants residing in the Town of Groton. This program will provide as much as four months of rental assistance for tenants earning up to 80% of the area median income. Landlord participation is required and the program is expected to run until funds are expended or June 30, 2022 at the latest. The full amount to be paid from Community Housing Reserve.*

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*
Community Preservation Committee: *Recommended Unanimously*

COMMUNITY PRESERVATION COMMITTEE

MOTION 6 (PROPOSAL F) WWI CANNON RESTORATION was held from the Article 17 Consent Motion

**VOTE on Article 17 CONSENT MOTION (except Motion 6 (Proposal F)):
Passed by Unanimous Vote**

Mover: Bruce Easom

MOTION 6 (Proposal F): WWI Cannon Restoration

I move, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Fifteen Thousand Dollars (\$15,000) be appropriated from the Community Preservation Fund Historic Resource Reserve to fund Community Preservation Application 2021-10 "WWI Cannon Restoration".

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

- **Cannon was donated by the Army to Groton in 1919. Needs repair. The cannon will be placed on granite blocks to help preserve the wheels and painted with a resilient paint.**

VOTE on Article 17 – Motion 6 (Proposal F): Passed by Majority Vote

ARTICLE 18: SPECIAL LEGISLATION – INVESTMENT OF TOWN'S TRUST FUNDS

To see if the Town will petition the Senate and House of Representatives of the Commonwealth of Massachusetts to enact special legislation authorizing the Treasurer of the Town of Groton to invest the Town's Trust Funds, notwithstanding section 54 of chapter 44 of the General Laws or any other general or specific law to the contrary with the Massachusetts Prudent Investor Act, codified in Chapter 203C of the General Laws as follows:

AN ACT AUTHORIZING CERTAIN INVESTMENTS BY THE TREASURER OF THE TOWN OF GROTON.

Section 1. Notwithstanding any general or special law to the contrary, the treasurer of the town of Groton may invest any trust funds of the town in the custody of the treasurer in accordance with sections 3, 4, 5, 8 and 9 of chapter 203C of the General Laws and in accordance with the town of Groton cash and investment policy. The policy may be amended by the select board of the town of Groton from time to time.

Section 2. Section 54 of chapter 44 of the General Laws shall not apply to the town of Groton.

Section 3. This act shall take effect upon its passage.

or to take any other action relative thereto.

COMMISSIONERS OF TRUST FUNDS

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*
Commissioners of Trust Funds: *Recommended Unanimously*

Summary: *MGL Ch. 44, s.54 pertains to the Investment of Trust Funds. All trust funds shall fall under the control of the Treasurer. This article will allow the Treasurer to invest the Town's Trust Funds with more flexibility than previously allowed, while still conforming to Massachusetts General Law. This flexibility will be limited to provisions contained in the Investment Policy of the Town. The standard of care to be used by the Treasurer shall be the 'Prudent Person' standard set forth in MGL Ch. 203C and shall be applied in the context of managing an overall portfolio.*

Mover: Rebecca Pine

MOTION: I move to petition the Senate and House of Representatives of the Commonwealth of Massachusetts to enact special legislation authorizing the Treasurer of the Town of Groton, notwithstanding section 54 of chapter 44 of the General Laws or any other general or specific law to the contrary, to invest the Town's Trust Funds pursuant to the standards of the Massachusetts Prudent Investor Act, codified in Chapter 203C of the General Laws as set forth in the Warrant for the 2020 Fall Town Meeting.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

VOTE on Article 18 – Main Motion: Passed by Majority Vote

ARTICLE 19: AMEND ZONING BYLAW – SITE PLAN REVIEW

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning as follows:

1. In Section 218-2.5, Site Plan Review, by deleting Item (b) of Paragraph C, Threshold of Review, Part (1) Minor site plan review, which reads as follows:
 - (b) Construction of an addition or any other alteration of up to 1,000 square feet gross floor area to an existing commercial, office, industrial, or institutional use, or structure for such use.

And by inserting in its place the following:

- (b) Construction of a new building, an addition, change of use, or any other alteration of up to 1,000 square feet gross floor area to an existing commercial, office, industrial, or institutional use, or structure for such use.
2. In Section 218-2.5, Site Plan Review, by deleting Items (a) and (b) of Paragraph C, Threshold of Review, Part (2) Major, which read as follows:
 - (a) Construction, enlargement or alteration of a parking area resulting in six or more new parking spaces.

- (b) Construction of a new building or an addition or any other alteration that exceeds 1,000 square feet of aggregate gross floor area which includes all floors of all buildings on the premises, to an existing commercial, office, industrial, or institutional use or structure.

And by inserting in their place the following:

- (a) Construction, enlargement, or change of use resulting in the construction or alteration of a parking area resulting in six or more new parking spaces.
 - (b) Construction of a new building or an addition, a change in use, or any other alteration that exceeds 1,000 square feet of aggregate gross floor area which includes all floors of all buildings on the premises, to an existing commercial, office, industrial, or institutional use or structure.
3. In Section 218-9.3 Multifamily Use, Subsections 218-9.3.A., 218-9.3.B.(1) and 218-9.3B.(2) delete the words “**Board of Appeals**” and insert the words “**Planning Board**”.

or to take any other action relative thereto.

PLANNING BOARD

Select Board: Recommended Unanimously

Finance Committee: No Position

Summary: *The purpose of these amendments is to clarify the thresholds for Site Plan Review, resolve a discrepancy in the bylaw as it relates to the Multifamily Use provisions, and to correct a sub-sectional reference. Specifically: 1) The proposed amendment #1 clarifies that the provisions of Minor Site Plan Review apply to a change of use. 2) The proposed amendment #2 clarifies that the provisions of Major Site Plan Review apply to a change of use. 3) The proposed amendment #3 corrects an internal inconsistency in the Zoning bylaws that dates to the adoption of Article 19 at the 2014 Annual Town Meeting. As part of a comprehensive update of the Zoning Bylaws to implement the recommendations of the Comprehensive Master Plan adopted in 2012, the Schedule of Use Regulations was amended. Among the various amendments, the Planning Board was designated as the Special Permit Granting Authority (SPGA) for “Multifamily Uses as allowed by the provisions of Sections 218-27A through 27C” (now Sections 218-9.3 A through C).*

However, Article 19 failed to update the corresponding language of the cross-referenced Sections A and B, leaving intact the SPGA reference in those sub-sections as the Zoning Board of Appeals not the Planning Board as intended in the Schedule of Use amendment. The proposed amendment to Sections 218-9.3 A and B remedies the regulatory inconsistency by inserting the correct SPGA as intended by the adoption of Article 19 at the 2014 Annual Town Meeting.

Mover: Russ Burke

MOTION: I move that the Code of the Town of Groton, Chapters 218-2.5, 218-9.3, 218-9.3.A., 218-9.3.B.(1) and 218-9.3B.(2) be amended as set forth in the Warrant for the 2020 Fall Town Meeting.

Moved and Seconded
Quantum of Town Meeting Vote: 2/3's Majority

Planning Board Report: At a public hearing on September 10, 2020, the Planning Board voted to Unanimously Recommend Article 20.

VOTE on Article 19 – Main Motion: Passed by 2/3rds Majority

ARTICLE 20: AMEND ZONING BYLAW – ATTACHED ACCESSORY APARTMENT

To see if the Town will vote to amend the Zoning Bylaw by deleting Section 218-9.4 in its entirety and replacing it with the following:

1) 218-9.4 Attached Accessory Apartment

218-9.4.1 Purpose

- a. To provide homeowners of a single-family dwelling larger than required for present needs with a means of sharing space and the burdens of home ownership, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
- b. Develop housing units in single family neighborhoods that are appropriate for households at a variety of stages in their life cycle.
- c. Provide small additional housing units for rent without substantially altering the appearance of the Town
- d. Provide housing units for persons with disabilities.
- e. Protect stability, property values, and the residential character of a neighborhood

218-9.4.2 Attached Accessory Apartment

Use of an accessory apartment, an independent dwelling unit not to exceed eight hundred (800) square feet contained within a single-family house. The unit shall have a separate entrance, a kitchen/living room, a bathroom and a maximum of two bedrooms. Either unit shall be occupied by the owner. The gross floor area shall include the interior finished habitable area to be used exclusively for the accessory apartment.

One Accessory apartment shall be allowed by right in the RA and RB Districts providing the following criteria are met:

- a. The accessory apartment shall conform to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Groton Board of Health.
- b. Approval from the Fire Department.
- c. Building, plumbing, electrical and any other required permits are obtained.
- d. The accessory apartment is contained within a single-family dwelling. Attached accessory apartments shall not be permitted on lots that contain two or more dwellings.
- e. All staircases required to access an accessory apartment must not change the general appearance of a single-family house.
- f. Space may be provided by either raising the roof, or extending the dwelling, but only in

accordance with current height and setback requirements.

- g. To maintain the single-family character of the neighborhood, the entrance to the accessory apartment should be on the side or rear, if possible, but may be through the front door, if there is a vestibule.
- h. The owner of the property must occupy one of the two units as a permanent residence.
- i. Accessory Apartments are not permitted on lots which have two or more dwellings.
- j. Accessory apartments shall be occupied by no more than 2 permanent residents.
- k. Sufficient and appropriate area for at least one additional parking space shall be provided by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and, to prevent on-street parking, and shall have vehicular access to the driveway,
- l. The footprint of the structure in which the accessory apartment is to be located shall not be increased by more than 800 square feet and shall retain the appearance of a single-family structure. Any such increase in the footprint shall not exacerbate an existing nonconformity nor create a new nonconformity,
- m. The provisions of MGL C. 40A, § 3 shall apply to any accessory apartments intended for occupancy by a person with a disability relative to access ramps used solely for the purpose of facilitation ingress and egress to person with physical limitations as defined in MGL C 22, § 13A.”

or take any action relative thereto

PLANNING BOARD

Select Board: *Recommended Unanimously*

Finance Committee: *No Position*

Summary: *The purpose of this zoning amendment is to allow attached apartments by right as an accessory use in a single-family house. Under the current zoning bylaw, attached accessory apartments require a special permit issued by the Zoning Board of Appeals. While this proposed amendment changes and reorganizes the language in the current bylaw, the only substantive change is to delete the special permit requirement.*

Mover: Tim Svarzkopf

MOTION: I move that the Code of the Town of Groton, Chapters 218-9.4.1 and 218-9.4.2 be amended as set forth in the Warrant for the 2020 Fall Town Meeting.

Moved and Seconded

Quantum of Town Meeting Vote: 2/3's Majority

Planning Board Report: At a public hearing on September 10, 2020, the Planning Board voted to Unanimously Recommend Article 20.

MOTION to AMEND Article 20 (Becky Pine)

I move to amend Article 20 – “Amend Zoning Bylaw – Attached Accessory Apartment” by deleting Paragraph “J” of Section 218-9.4.2, which reads as follows:

“Accessory Apartments shall be occupied by no more than 2 permanent residents”

In its entirety, and re-lettering the remaining paragraphs to reflect this deletion.

Moved and Seconded

Quantum: Majority

VOTE on Article 20 MOTION TO AMEND: passed by Majority Vote

VOTE on Article 20 – Main Motion as Amended: Passed by 2/3rds Majority

ARTICLE 21: AMEND ZONING BYLAW – DETACHED ACCESSORY APARTMENT

To see if the Town will vote to amend the Zoning By-Law of the Town of Groton by adding the following Section

218-9.4.3 Detached Accessory Apartment

The Planning Board acting as the Special Permit Granting Authority may issue a Special Permit authorizing the installation and use of a detached-accessory apartment in a detached structure on a lot containing a single-family dwelling provided the following conditions are met:

- A. Conditions a–c, e, h, and j-m of Section 218-9.4.2 are met
- B. A plot plan of the existing dwelling unit and proposed accessory apartment shall be submitted to the Special Permit Granting Authority, showing the location of the building on the lot, the proposed accessory apartment, location of any septic system and required parking
- C. The detached accessory apartment shall be a complete, separate housekeeping unit containing a kitchen/living room, a bathroom and a maximum of two bedrooms. Detached accessory apartments shall not be permitted on lots that contain two or more dwellings.
- D. Off-street parking spaces shall meet the requirements of Section 218- 8.1 of these bylaws.
- E. Any new construction shall be in accordance with current height and setback requirements for the district in which it is located.
- F. No special permit shall be granted without a condition that the accessory apartment shall conform to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Groton Board of Health.
- G. Any property that has been granted a Special Permit for a detached accessory apartment shall not be further divided unless all zoning requirements can be met for the district in which it is located.

- H. Prior to approval of a Special Permit for a detached accessory apartment the Board shall make the following findings:
1. The detached accessory apartment will not impair the integrity or character of the neighborhood in which it is located.
 2. The detached accessory apartment will provide housing opportunities in conformance with the purpose of this Section.

or take any action relative thereto

PLANNING BOARD

Select Board: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *The purpose of this zoning amendment is to allow detached apartments by special permit of the Planning Board as an accessory use to a single-family house. Detached accessory apartments are not allowed under the current zoning bylaw.*

Mover: Russ Burke

MOTION: I move that the Code of the Town of Groton, Chapter 218-9.4.3 be amended as forth in the Warrant for the 2020 Fall Town Meeting.

Moved and Seconded
Quantum of Town Meeting Vote: 2/3's Majority

Planning Board Report: At a public hearing on September 10, 2020, the Planning Board voted to Unanimously Recommend Article 21.

MOTION to AMEND Article 20 (Becky Pine)

I move to amend Article 21 – “Amend Zoning Bylaw – Detached Accessory Apartment” by deleting the letters “j-m” and replacing it with “j-l” in Paragraph A of Section 218-9.4.3

Moved and Seconded
Quantum: Majority
VOTE on Article 21 MOTION TO AMEND: passed by Majority Vote

VOTE on Article 21 – Main Motion as Amended: Passed by 2/3rds Majority

ARTICLE 22: AMEND CHAPTER 128 - DOGS

To see if Town will vote to amend the Code of the Town of Groton by deleting Chapter 128, “Dogs” in its entirety and replacing it with a new Chapter 128, “Dogs”, to read as follows:

§ 128-1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Abandon

A dog is considered abandoned within the meaning of this chapter when it has been left alone or unattended by the owner for any period greater than 24 hours without the owner providing for its needs.

Animal Control Officer

An appointed officer authorized to enforce M.G.L. c. 140, sections 136A to 174F, inclusive.

Attack

Aggressive physical contact initiated by an animal.

At Large

Off the premises of the owner and not under the physical control of the owner or keeper.

Complainant

Any person, including the Animal Control Officer, who makes a complaint regarding an animal committing a violation under this chapter. In the case where the complaint is from other than the Animal Control Officer, it shall be in writing, using the Groton Dog Incident Complaint Form.

Complaint

A formal written report of a dog incident using the Groton Dog Incident Complaint Form.

Dangerous Dog

A dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal. No dog shall be deemed to be a dangerous dog if any of the circumstances provided in M.G.L. c. 140, § 157(a) apply.

Domestic Animal

An animal designated as domestic by regulations promulgated by the department of fish and game.

Euthanize

Take the life of an animal by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Medical Association Guidelines on Euthanasia.

Hearing Authority

The Town Manager or the chief of police, or the person charged with the responsibility of handling dog complaints.

Keeper

A person, business, corporation, entity or society, other than the owner, having possession of a dog.

Nuisance Dog

A dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.

Owner

Any person, group of persons or corporation owning, keeping or harboring a dog or dogs. The owner is responsible for a dog's actions at all times.

License

A valid and current municipal dog license and dog license tag.

Physical Control

Control of a dog with a restraint.

Public Disturbance

Any dog shall be deemed a public disturbance when such dog is engaged or has engaged in any combination of one or more of the following activities. Each instance of a public disturbance is considered to be a violation. Each day of a violation is determined to be a separate violation.

- A. Destroying, disturbing or otherwise molesting the property, including refuse, of another while outside the property of its owner, whether under such owner's physical control or not.
- B. Being upon any public park, playground schoolyard, beach or in any place to which the public has a right of access while not under the physical control of its owner or keeper. The determination of physical control shall be that of the Animal Control Officer.
- C. Being a dog, which is permitted to run unrestrained at large. The running of hunting dogs, certified service dogs and search and rescue dogs shall not constitute a public disturbance hereunder. The exercising of other dogs which are under the physical control of their owner or keeper shall not constitute a public disturbance hereunder, providing permission of the landowner has been obtained.
- D. Being upon any public way or in any place to which the public has a right of access, chasing motor vehicles, bicycles or pedestrians.
- E. Being an unspayed female or unneutered male at large.
- F. Being over the age of six months and not wearing a suitable collar and current municipal dog license tag issued for it and while not on the property of the owner.
- G. Being a dog which has been abandoned.
- H. Being a dog which deposits solid waste not removed, or not properly disposed of, by the dog's owner or agent upon any public park, playground, schoolyard, beach, public or private way sidewalk, in any place to which the public has a right of access or any property other than that of its owner.

Restraint

The control of a dog by physical means, such as a leash, fence or other means of physically confining or restraining a dog.

Restraint Order

Order to confine or restrain a dog with conditions determined by the Animal Control Officer.

§ 128-2 Public Disturbances Prohibited

No owner of any dog shall, while such dog is within the confines of the Town of Groton, allow such dog to be a public disturbance as defined above.

§ 128-3 Enforcement

Nothing contained in this bylaw shall prevent the Select Board from passing any orders authorized by law at such times as the Board shall deem it necessary to safeguard the public.

Public Disturbances

- A. In all cases it shall be the duty of the duly appointed Animal Control Officer to investigate any violation under §128-2 of this chapter either witnessed by a police officer or the Animal Control Officer or reported in a written and sworn complaint. The Animal Control Officer shall provide the dog owner and the complainant with a written copy of the complaint and investigation report not more than seven days after the conclusion of the investigation, but in any event, not more than 30 days after receiving the complaint.
- B. If, after the Animal Control Officer's investigation of an alleged violation under § 128-2 of this chapter, such officer has reason to believe that the described violation did in fact occur as set forth in said written complaint or as witnessed by him/her or a police officer, it shall be the Animal Control Officer's duty to issue the owner, in writing, the appropriate order and/or to impose the appropriate fine designed to prevent a recurrence or continuation of such violation. The period of time during which the order shall be in effect shall be on the order. If the complainant and the owner involved agree with the order so issued, then the matter respecting that particular violation under this chapter shall be considered resolved. If the parties are not in agreement, then recourse can be had to the remedies of each under provisions of law.
- C. In all cases it shall be the duty of the Animal Control Officer, if, in his/her opinion, appropriate action is necessary to prevent further or continued violations of § 128-2 of this chapter pending a complete investigation, to take the following action:
 - (1) Notify the owner, if known and available, of the alleged violation, and issue a preliminary order, in writing, requiring the owner to take appropriate action, pending a complete investigation.
 - (2) If the owner is not known or, if known, is not immediately available:
 - (a) Take the dog into custody in the most humane manner possible.
 - (b) Confine the dog in a suitable facility.
 - (c) Use every means available to identify and contact the owner.
 - (d) Take such further action as is allowed by law.
- D. It shall be the responsibility of the owner of any dog impounded under the provisions of Subsection C(2)(b) to reclaim such dog subject to the following criteria: The owner shall pay the Animal Control Officer such sum as is established by the Select Board by regulation for taking the dog into custody and a further sum for room and board as determined by regulations promulgated by the Select Board.

- (1) The owner of the dog shall also be responsible for costs incurred by the Town or Animal Control Officer for reasonable and customary care of the dog while in the custody of the Animal Control Officer.
 - (2) The owner shall have in his possession a license and related tag for the dog, both of which shall have been issued with respect to the dog. The license tag shall be attached to the dog by a suitable collar before the dog is released from the custody of the Animal Control Officer.
- E. Disposition of dogs - If an unclaimed dog has been in the custody of the Animal Control Officer for more than seven days, the Animal Control Officer may euthanize the dog in accordance with applicable provisions of Massachusetts law. The owner shall be responsible for any costs incurred in the keeping and disposition of the dog.

Nuisance or Dangerous Dog Complaints

- A. Any person may file a written complaint with the Select Board and Town Manager, or their designee that a dog kept in the Town is a nuisance or a dangerous dog. All such complaints must be signed and include an address and contact information for the complainant.
- B. Hearing Authority. The Town Manager is designated by the Select Board as the "Hearing Authority" to oversee the process of responding to all nuisance or Dangerous Dog Complaints. The Town Manager may further designate another Town Employee as the Hearing Authority when necessary.
- C. Disposition. The Hearing Authority shall investigate or cause to be investigated the complaint, including an examination under oath of the complaint at a hearing. Based on credible evidence and testimony presented at the hearing, the Hearing Authority shall take the following action:
- (1) **Nuisance Dog.** If the dog is complained of as a nuisance dog, the Hearing Authority shall either (a) deem the dog a nuisance dog; or (b) dismiss the complaint.
 - (2) **Dangerous Dog.** If the dog is complained of as a dangerous dog, the Hearing Authority shall either (a) deem the dog as a dangerous dog; (b) deem the dog a nuisance dog; or (c) dismiss the complaint.
- D. Report to Town Clerk. The Hearing Authority shall notify the Town Clerk of any complaints filed and shall report any finding that a dog is a nuisance dog or a dangerous dog to the Town Clerk.
- E. Order valid throughout the Commonwealth. Unless later overturned on appeal, any order of the Hearing Authority shall be valid throughout the Commonwealth of Massachusetts.
- F. Remedies.
1. Nuisance dog. If the Hearing Authority has deemed the dog a nuisance dog, it may order the owner or keeper of the dog to take remedial action to ameliorate

the cause of the nuisance behavior.

2. Dangerous dog. If the Hearing Authority has deemed the dog a dangerous dog, it may order one or more of the following remedies:
 - (a) that the dog be humanely restrained, but no order shall require the dog to be chained or tethered to an inanimate object such as a tree, post or building;
 - (b) that the dog be confined to the premises of the owner or keeper, meaning securely confined indoors or confined outdoors in a securely enclosed pen or dog run area that has a secure roof, has either a floor secured to all sides or is embedded into the ground for at least two feet, and provides the dog with proper shelter from the elements.
 - (c) when removed from the premises of the owner or keeper, the dog be securely and humanely muzzled and restrained with a tethering device with a maximum length of three feet and a minimum tensile strength of three hundred pounds;
 - (d) that the owner or keeper provide (i) proof of insurance of at least \$100,000 insuring the owner or keeper against any claim, loss, damage, or injury to persons, domestic animals, or property resulting from the intentional or unintentional acts of the dog; or (ii) proof that reasonable efforts were made to obtain such insurance;
 - (e) that the owner or keeper provide the Town Clerk, the Animal Control Officer, or other entity as directed with identifying information for the dog including but not limited to photographs, videos, veterinary records, tattooing, microchip implantations or a combination of these;
 - (f) that the dog be altered so as not to be reproductively intact, unless the owner or keeper provides evidence of a veterinary opinion that the dog is medically unfit for such alteration; or
 - (g) that the dog be humanely euthanized.

G. Restrictions following dangerousness finding:

1. No dog that has been deemed dangerous shall be ordered removed from the Town.
2. Issuance of temporary restraint orders. The Animal Control Officer may issue a temporary restraint order to the owner or keeper of any dog that is alleged to be a nuisance dog or a dangerous dog and is awaiting a decision under § 133-8. A temporary restraint order shall be in force for no more than 30 days unless the Animal Control Officer renews it in writing for subsequent thirty-day period. The Animal Control Officer may rescind or stop renewing the order when, in the Animal Control Officer's judgment, restraint is no longer required. The Animal Control Officer's order shall expire upon receipt of a decision from the Hearing Authority on the nuisance dog or dangerous dog hearing.

H. Appeals

The Hearing Authority's initial decision shall become effective upon filing said decision with the Town Clerk. The owner or keeper of a dog may appeal the initial decision of the Hearing Authority to the Select Board within ten (10) days of

the decision being filed with the Town Clerk. The Select Board shall review the decision in open session and determine whether or not to modify or uphold the decision. The Select Board may conduct a further hearing or accept additional evidence as the Board deems appropriate. An owner or keeper may further appeal the Select Board's final action to the district court pursuant to M.G.L. c. 140 § 157.

§ 128-4 License required, penalty

- A. Pursuant to Chapter 140, § 173, of the Massachusetts General Laws, any person who fails to register, number, describe and license his or her dog annually by January 1 in the Town of Groton, Middlesex County, and pay the fees and charges under rules and regulations pursuant to Chapter 140, § 139 will be required to pay to the Town of Groton a penalty after the last day of February annually, in accordance with a Fee/Fine Schedule established by the Select Board. By virtue of the Town's acceptance of the applicable provision of Section 139 of Chapter 140 of the General Laws, no fee shall be charged for a license for a dog owned by a person aged 70 years or over, unless the dog is identified as a dangerous dog.
- B. Failure to comply with this section shall constitute a violation of § 128-2 and may subject the owner of any unlicensed dog to financial penalties as are allowed by this chapter or as provided for regulations promulgated by the Select Board.
- C. All monies received by the Town Clerk's office for the issuance of dog licenses or other fees, fines, charges, and penalties under § 147 of Chapter 140 of the Massachusetts General Laws and this chapter shall be paid into the treasury of the Town.

§ 128-5 Violations and penalties.

- A. Except as otherwise provided by existing statute or in this chapter, any person who violates this chapter shall be subject to the payment of a penalty in the amount of \$50 for each violation and for each day of violation, to be recovered for the use of the Town.
- B. The owner of any dog which is in violation of § 128-2 may be subject to this penalty whether such dog is in the custody of the Animal Control Officer or not. As an alternative to criminal prosecution, the Animal Control Officer and Town Police Officers, as enforcing persons under this chapter, may enforce this chapter and orders issued hereunder pursuant to the noncriminal disposition statute, M.G.L. C. 40, § 21D and the Town Code, Chapter 1, Article I, § 1-4B(2). When so enforced, the fines shall be as follows:

- 1. Penalties for public nuisance violations
 - a. First violation \$50
 - b. Second violation \$75
 - c. Third and subsequent violations \$100
- 2. Fees for dogs in the custody of the Animal Control Officer
 - a. Fee for dog pick up \$25
 - b. First calendar day board \$25

- c. Second and subsequent calendar day board \$40
- 3. Annual dog licensing fee (between January 1 and February 28)
 - a. Neutered or spayed dogs \$10
 - b. Unaltered dogs \$15
 - c. Kennel license:
 - i. Up to 4 dogs \$40
 - ii. 5 to 9 dogs \$70
 - iii. 10 or more dogs \$100
- 4. Dangerous dog license \$300

or to take any other action relative thereto.

**SELECT BOARD
TOWN MANAGER**

Select Board: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *The purpose of this Article is to bring the Town's Dog Bylaw into compliance with State Law. It was determined that certain sections of the current Bylaw, including the remedies related to a finding that a dog is dangerous, are not in compliance with State Law. In addition, it also adds a new finding for a nuisance dog.*

Mover: Rebecca Pine

MOTION: I move that the Code of the Town of Groton be amended by deleting Chapter 128, "Dogs" in its entirety and replacing it with a new Chapter 128, "Dogs", as set forth in the Warrant for the 2020 Fall Town Meeting.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

MOTION to AMEND Article 22-Main Motion (Mary Winkels)

I move to amend Chapter 128 Paragraph E on Page 22 in the Warrant by inserting after "euthanize the dog" the words "only after reasonable efforts to place the dog with a reputable no-kill facility or organization, and"

Discussion:

- The purpose of this revision is to bring the bylaw into compliance with state law.

MOTION to INDEFINITELY POSTPONE Article 22

MOTION to MOVE THE QUESTION

Moved and Seconded

Quantum: 2/3rds Majority

VOTE on MOTION to MOVE THE QUESTION: Passed by 2/3ds Majority

VOTE on MOTION TO AMEND Article 23-Main Motion: Passed by Majority Vote
VOTE on MOTION TO INDEFINITELY POSTPONE Article 22: Did not pass

VOTE on Article 22 – Main Motion as amended: Passed by Majority Vote

ARTICLE 23: ACCEPTANCE OF RED PEPPER LANE AS A PUBLIC WAY

To see if the Town will vote to accept Red Pepper Lane as a public way, as recommended by the Planning Board and laid out by the Select Board and as shown on a plan entitled "Red Pepper Lane Street Acceptance Plan in Groton, Massachusetts," prepared by Land Engineering and Environmental Services, Inc., Tyngsboro, MA for Reedy Meadow, LLC, Tyngsboro, Massachusetts, dated January 30, 2020, and on file with the Town Clerk; to authorize the Select Board to acquire, by gift, purchase or eminent domain such land and easements for the creation, maintenance and operation of a public way, including but not limited to easements for access, grading, drainage, sloping, construction and utilities, in all or any portions of such way and the parcels on such way, or to take any other action relative thereto.

SELECT BOARD

Select Board: *Recommended Unanimously* to Indefinitely Postpone
Finance Committee: *No Position*

Summary: *To accept Red Pepper Lane as a Town Way.*

Mover: Rebecca Pine

MOTION: I move that Article 23 be indefinitely postponed.

Moved and Seconded
Quantum of Town Meeting Vote: Majority

Discussion:

- **The Select Board authorized the Town Manager to work with the developer on a plan to plow the road this winter.**

VOTE on Article 23- Main Motion: Passed by Majority Vote

MOTION TO DISSOLVE the 2020 Fall Town Meeting

Moved and Seconded

Quantum: Majority

VOTE on MOTION TO DISSOLVE: Passed by Majority Vote

The 2020 Fall Town Meeting was dissolved at 12:32 PM on October 3, 2020.

Hereof fail not and make return of your doings to the Town Clerk on or before time of said meeting.

Given under our hands this 14th Day of September in the year of our Lord Two Thousand Twenty.

Alison S. Manugian

Alison S. Manugian, Chair

Joshua A. Degen

Joshua A. Degen, Vice Chair

Rebecca H. Pine

Rebecca H. Pine, Clerk

John R. Giger

John R. Giger, Member

John F. Reilly

John R. Reilly, Member

OFFICERS RETURN

Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

Constable

Date Duly Posted

REPORT OF THE TOWN MANAGER TO THE 2020 FALL TOWN MEETING

The 2020 Fall Town Meeting Warrant contains several warrant articles that seek appropriations, some of which will affect the Tax Rate and some of which will have no further impact on taxes. The purpose of this report is to provide the residents and taxpayers with a summary of these articles and what impact they will have on the Fiscal Year 2021 Tax Rate. In preparing for the Fall Town Meeting, the Select Board and Finance Committee reviewed the balances in the various reserve accounts. These accounts will either be used to fund the various articles, or money will be added to them to comply with the Town's Financial Policies. The balances are as follows:

Stabilization Fund:	\$2,054,993
Capital Stabilization Fund:	\$ 554,313
GDRSD Capital Stabilization Fund:	\$ 235,046
Unexpended Tax Capacity:	\$ 295,647
Ambulance Receipts:	\$ 60,434
Certified Free Cash:	\$1,087,033

The following is a summary of Warrant Articles requesting funding:

Article 2: Unpaid Bills

Requested: \$610

There are two unpaid bills totaling \$610 that came in after the close of Fiscal Year 2020 that will require Town Meeting approval. One is for the temporary sanitary facility located at the Lost Lake Boat Ramp (\$160) and the other is for the Annual Stipend for the Board of Registrars (\$450). This will be funded from Free Cash.

Article 3: Amend the FY 2021 Operating Budget

Requested: \$86,620

This Article will request the following adjustments in the Operating Budget:

1. Town Manager Salaries – Based on the Town Manager's Annual Performance Review, the Town Manager will receive a one-time payment of \$4,415. This will be funded from Free Cash.
2. Elections and Board of Registrars Expenses – Due to changes in State Law governing elections, an additional appropriation of \$10,000 is needed to cover expenses. This will be funded from Free Cash.
3. Postage/Town Hall Expenses – Similar to Elections and Board of Registrars Expenses, due to changes in State Law governing elections, the postage budget has increased significantly. An additional appropriation of \$10,000 is needed to cover this increase. This will be funded from Free Cash.

4. Insurance – Due to the construction of the new Center in West Groton and the new DPW Garage, the Town has seen a significant increase in its property and casualty insurance premium for Fiscal Year 2021. This coupled with anticipated changes based on registering a new Police Cruiser, Fire Truck and Ambulance will cause a shortfall of \$20,000 in this line item. Since these increases will require a permanent increase in our insurance premiums, this funding will come from Unexpended Tax Capacity.
5. Fire Department Expenses – The Fire Department has seen a major increase in repairs to its two ambulances, as well as repairs to Engine 1 which has depleted the Maintenance Line Item. To cover this increase in repairs, an additional \$20,000 is needed to cover the remaining of the Fiscal Year. In addition, in 2015, the Groton Fire Department began to use Ambupro EMS software. This software provides state and nationally required documentation for patient care records as well as providing information necessary for billing. Over the past several years, the reliability with the billing portion of this software has been inconsistent. This inconsistency has resulted in numerous insurance providers not being billed costing the town EMS revenues. While most of these lost revenues have been recovered, the issues have not been resolved leaving the reliability in question. In May/June of 2020 after major billing issues, the Groton Fire Department began to look at new vendors to provide EMS reporting software. Following evaluation and checking of references, they arrived at ESO as its selection. This software has a better and more streamlined billing process and comes highly recommended by other agencies for its reliability. The cost of the software is \$6,205. Therefore, the total request for the Fire Department is \$26,205. To fund these issues, \$20,000 will come from Unexpended Tax Capacity and \$6,205 will come from Ambulance Receipts Reserved for Appropriation.
6. Solid Waste Disposal – Tipping Fees – This line item will need an additional \$40,000. There was a one-time cost of \$20,000 to grind down and dispose of all the debris caused by the microburst and the Department is anticipating a \$20,000 shortfall due to increase in the amount of trash received. This increase may be attributed to more people staying in their homes due to the pandemic which has increased the amount of trash generated in the various households. To fund this increase, \$20,000 will come from Free Cash and \$20,000 will come from unexpended tax capacity.
7. Country Club Wages and Expenses – Due to not having the camp this summer, wages will be reduced by \$15,000 and expenses by \$9,000 for a total reduction of \$24,000 in the Country Club Budget.

The following is a summary of funds proposed for this Article:

Free Cash:	\$44,415
Unexpended Tax Capacity:	\$36,000
Ambulance Receipts:	<u>\$ 6,205</u>
Total Requested:	\$86,620

Article 4: Amend FY 21 Wage & Classification Schedule Requested: \$0

While this article requests approval to provide a two (2%) percent COLA for our Call Firefighters and setting the Stipend for the Veteran's Agent at \$5,000, there is no budgetary impact as the funds were included in the Operating Budget, but the Wage and Classification Schedule was not adjusted.

Article 5: Transfer - Water Enterprise Fund Requested: \$160,000

This Article seeks to transfer \$160,000 from the Water Surplus Account to help cover the cost of engineering for the Whitney Well Manganese Mitigation Project and Expansion and other FY 21 operating costs.

Article 6: Transfer - Center Sewer Enterprise Fund Requested: \$50,000

This Article seeks to transfer \$50,000 from the Center Sewer Surplus Account to cover anticipated FY 21 Expenses.

Article 7: Transfer - Four Corners Sewer Enterprise Fund Requested: \$5,000

This Article seeks to transfer \$5,000 from the Four Corner Sewer Surplus Account to cover anticipated FY 21 Expenses.

Article 8: Transfer - Capital Stabilization Fund Requested: \$0

The current balance in the Capital Stabilization Fund is \$554,313. The Town's Financial Policies state that this fund should have 1.5% of the Operating Budget. The anticipated FY 21 Operating Budget (after Article 2 Transfers) is \$40,630,339. The balance in this fund, therefore, should be \$609,455. That said, the Select Board and Finance Committee want to preserve as much Free Cash as possible to cover any shortfalls in revenues in FY 21 caused by the COVID – 19 Pandemic. This Article will most likely be Indefinitely Postponed.

Article 9: Transfer - Stabilization Fund Requested: \$0

The current balance in the Stabilization Fund is \$2,054,993. The Town's Financial Policies state that this fund should have 5% of the Operating Budget. As stated above, the anticipated FY 21 Operating Budget will be \$40,630,339. The balance in this fund, therefore, should be \$2,031,517. Based on this, this Article will most likely be Indefinitely Postponed.

Article 10: Transfer - GDRSD Capital Stabilization Fund**Requested: \$0**

This Article is used to cover the Town of Groton's share of the School Districts Capital Budget each Spring. Currently, the balance in the Fund is \$235,046. The FY 22 Capital Budget of the District is \$789,500 with the estimated share of Groton being \$519,078. That said, for the same reasons stated under Article 8, this Article will most likely be Indefinitely Postponed and depending on what happens over the next several months, Free Cash can be used to fund the Capital request of the School District.

Article 11: FY 2021 Capital Budget**Requested: \$151,570**

Last Spring, the Town significantly reduced the original Capital Budget that was presented to the 2020 Spring Town Meeting. There were still several items to be considered at the Fall Town Meeting. The Town Manager and Capital Planning Advisory Committee are recommending that the Fall Town Meeting consider the following items:

Pick-Up Truck	\$ 45,000	Highway
Police Station Siding/Roof Repairs	\$ 50,000	Town Facilities
Police Cruiser	<u>\$ 56,570</u>	Police Department
Total	\$151,570	

To fund this request, \$101,570 will come Free Cash to fund the Pick-up Truck and Police Cruiser. To fund the Police Station Siding/Roof Repairs, surplus from the Library Roof Capital Project will be used to cover this expense.

Article 12: Stormwater Utility Enterprise Budget**Requested: \$220,000**

The Spring Town Meeting created the Stormwater Enterprise Fund to provide the Town with a funding source to comply with the requirements of the NPDES MS4 Stormwater Permit Program operated by US Environmental Protection Agency. The permit program requires the Town to proactively manage its storm drainage system and ensure the protection of its waterways from stormwater pollution. Compliance with the requirements of this program is mandatory. The Select Board has established a Stormwater User Fee to be paid by all properties with impervious surfaces within the Town to cover this expense. This Article requests a budget of \$220,000 as approved by the Select Board at their August 10, 2020 Meeting. The funding for this Budget will come from the stormwater fee approved by the Select Board.

Article 13: Environmental Consulting Services**Requested: \$18,000**

From the Warrant Summary: This funding is for environmental consulting services in support of the demolition of the former Squannacook Sportsmen's Club located at 159 West Main Street. Town Meeting has authorized the Town to obtain this property for additional parking and land for activities for the Groton Center. Prior to obtaining this property, the Town needs to understand the environmental impact of demolishing the former Sportsmen's Club. This funding is necessary to inspect the building and surrounding area and develop a report and

recommendations for the building's disposal. Depending on the outcome of the report, the Town will return to a future Town Meeting for the necessary funding to demolish the building and obtain the property. The cost of these services is anticipated to be \$18,000. Should the report come back favorable and the building can be removed, the estimated cost of disposal is \$30,000. This funding will come from Free Cash.

Article 14: Complete Streets Engineering

Requested: \$35,000

From the Warrant Summary: The Complete Streets Committee will be applying for a grant from MassDOT (this Fall) to improve pedestrian safety and accessibility improvements in Town. This article will provide funding for the required engineering design of the projects. Projects under consideration at this time include installing a sidewalk from West Groton Center to the new Groton Center on West Main Street and installing a sidewalk on Route 40 from the Groton Inn to the Gibbet Hill Grill. The Town must provide the engineering to design and solicit bids in order to obtain the construction funding. This Article will request \$35,000 from Free Cash.

Article 14: Assessors Cyclical Inspections

Requested: \$20,000

The Board of Assessors need to inspect every property in Town every five years. They have decided to use an outside consultant to conduct these inspections and fund 1/5 of the Town each year at a cost of \$20,000. This Funding will come from Unexpended Tax Capacity and added to the Operating Budget in Fiscal Year 2022.

Should Town Meeting agree with these appropriations, the following amounts from the various accounts will be used, leaving the following balances:

Free Cash – Total Used:	\$199,595	Remaining Balance:	\$887,438
Unexpended Tax Capacity – Total Used:	\$ 56,000	Remaining Balance:	\$239,647
Ambulance Receipts – Total Used:	\$ 6,205	Remaining Balance:	\$ 54,229

Please note that the anticipated tax rate for FY 2021 will be \$17.84, an increase of \$0.03 from the anticipated Tax Rate presented to the Spring Town Meeting. The average tax bill would increase by an additional \$14, or an overall increase of \$226 over Fiscal Year 2020.

Respectfully submitted,

Mark W. Haddad

Mark W. Haddad
Town Manager